

Intellectual Property Rights at the JPO: Statistics (2015)

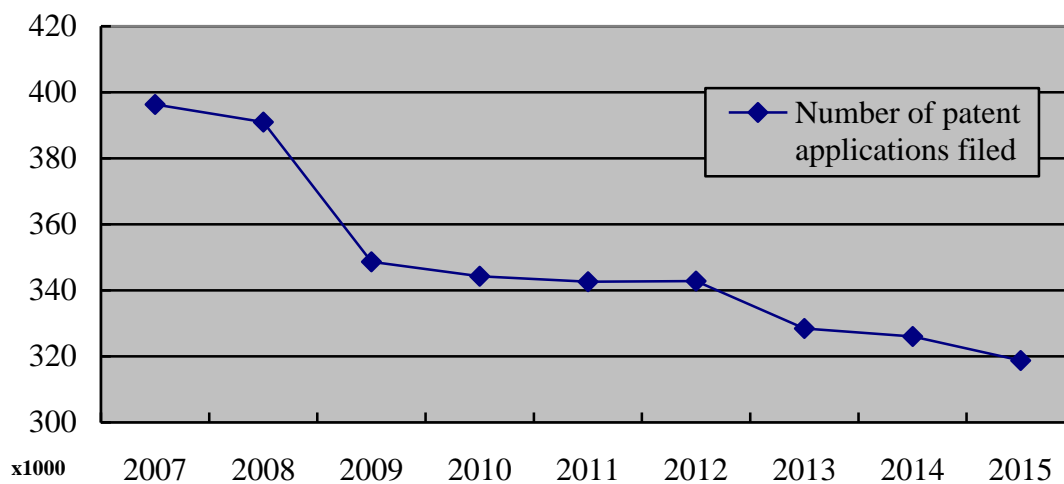


FIG. 1. Number of patent applications (in thousands) filed at the JPO per calendar year

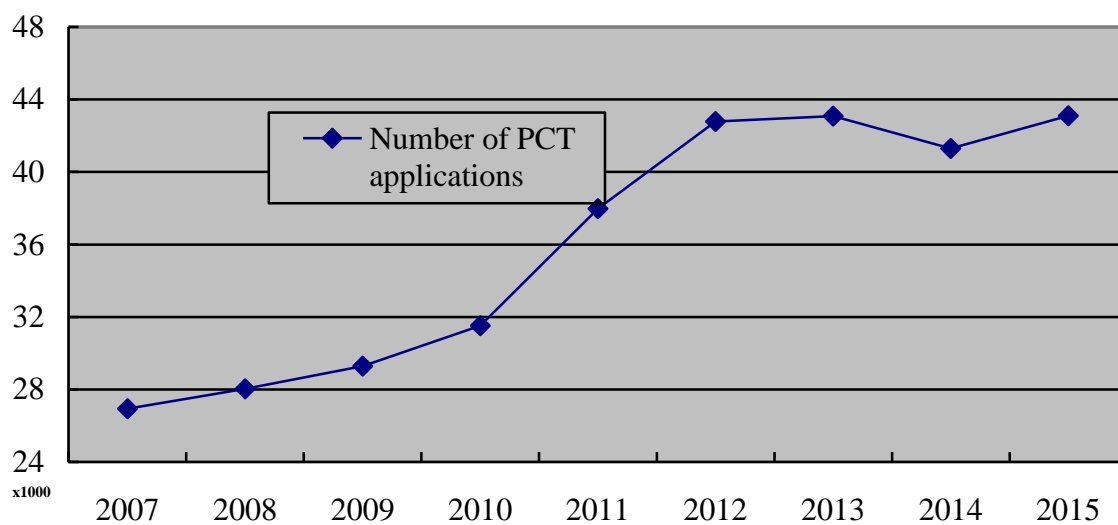


FIG. 2 Number of applications (in thousands) filed under the PCT at the JPO per calendar year

In 2015, the number of PCT applications filed with the JPO increased by 4.3% from the previous year to 43,097 applications.

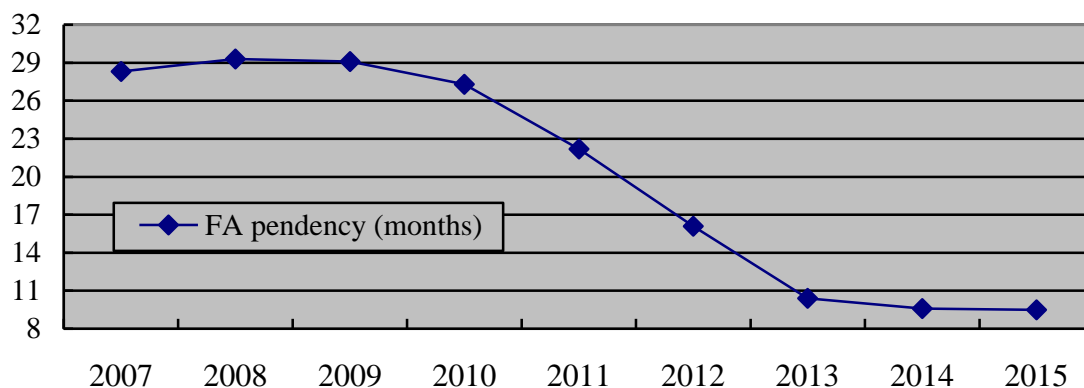


FIG. 3 Average time until First Action (FA) issued for an application at the JPO per calendar year

The number of International Search Reports (ISR) produced by the JPO have increased by 70% from 2006 to 2015. The number of International Preliminary Examination Reports (IPER) produced by the JPO have decreased by a little over 17% from the 2006 level (approximately 3,200), but this number shows a great deal of year-on-year variation.

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|--------------------------|---------|---------|---------|---------|---------|---------|
| Decision to Grant Patent | 205,632 | 220,495 | 254,502 | 260,046 | 205,711 | 173,015 |
| Number of FAs | 377,089 | 363,876 | 369,679 | 356,179 | 255,001 | 235,809 |

Table 1: Number of granted patents and first office actions at the JPO. As is clear from the table, there has been a 7% increase in the ratio of patents granted relative to the number of FAs issued compared to 2010.

| | 2011 | 2012 | 2013 | 2014 | 2015 |
|--|------|------|------|------|------|
| Applications Filed by Foreign Applicants (%) | 16.0 | 16.3 | 17.3 | 18.4 | 18.7 |
| Patent Registrations by | 17.1 | 18.2 | 19.0 | 21.8 | 22.5 |

| | | | | | |
|------------------------|--|--|--|--|--|
| Foreign Applicants (%) | | | | | |
|------------------------|--|--|--|--|--|

Table 2: Applications filed and patent registrations made by foreign applicants at the JPO. Values are percent relative to those filed or registered by Japanese nationals.

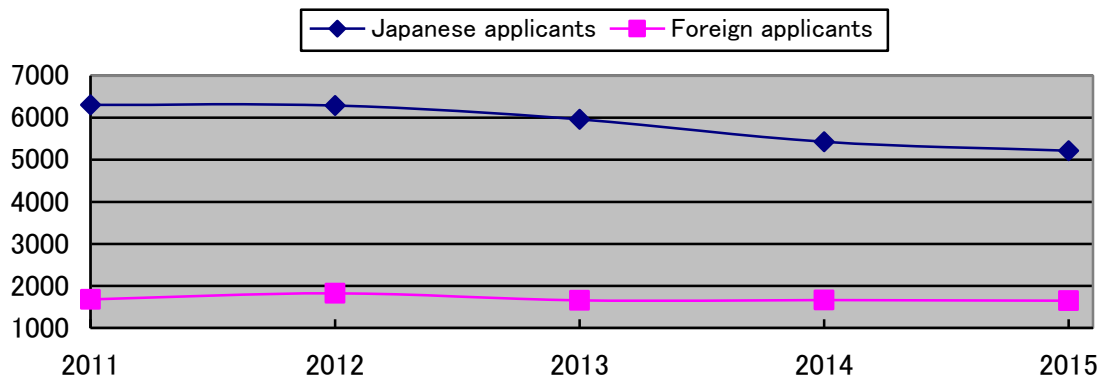


FIG. 4. Number of Utility Models applications filed at the JPO by Japanese and foreign applicants. The number of Utility Model applications by Japanese applicants has been gradually decreasing while the number of Utility Model applications by foreign applicants has remained relatively stable.

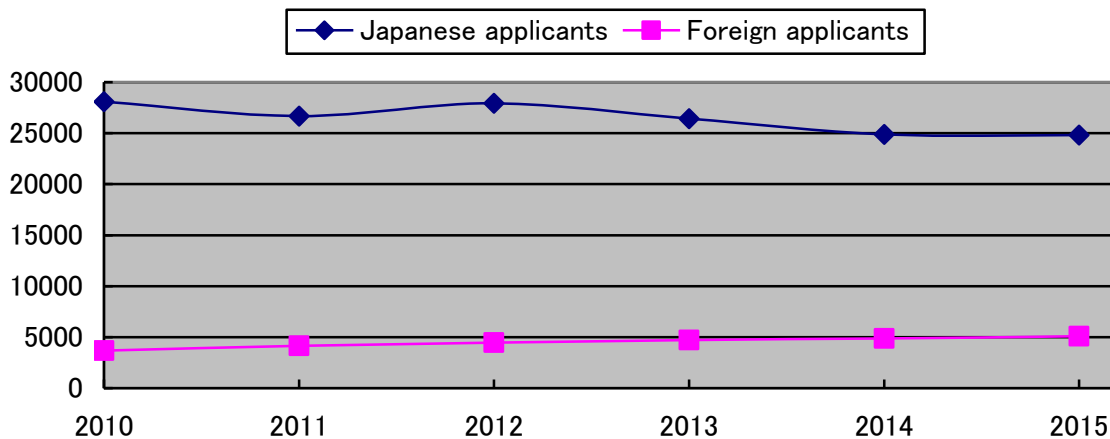


FIG. 5. Number of applications for Design Registration filed at the JPO by Japanese and foreign applicants. The percentage of foreign applicants for Design Registration filed at the JPO has steadily increased from 11.5% of all applications in 2010 to 17% of all applications in 2015

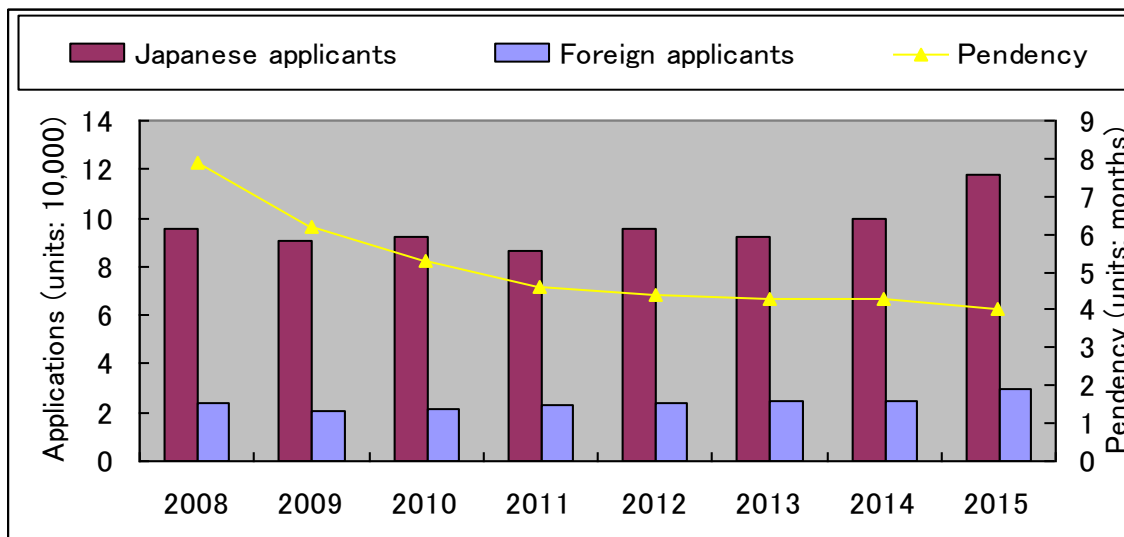


FIG. 6. Number of Trademark applications (excluding International applications for trademark registration) filed at the JPO by Japanese and foreign applicants and the average pendency of the application. The number of applications is displayed in units of 10,000, whereas the pendency is displayed in months. The number of Trademark applications by foreign applicants has steadily increased from about 18.5% in 2010 to 19.9% in 2015, while the average pendency has decreased from 4.7 months in 2010 to 4.0 months in 2015.

Trials and Appeals

The number of appeals against an examiner's decisions of refusal for a patent application had remained within the range of 24,000 to 28,000 per year since 2009. However, in 2015, the number of appeals against an examiner's decisions of refusal for a patent application fell to 21,858. In 2015, the number of appeals against an examiner's decisions of refusal for a trademark application was 853, and with the exception of 2013 (1,012 cases) has steadily decreased from the 1,415 cases in 2009. There has been a generally steady decline in the number of appeals against an examiner's decisions of refusal for a design application from 2009 (513 cases) to 2015 (391 cases).

Requests for Trials for Invalidation and Oppositions

Since 2006, the number of requests for a trial for invalidation of a patent has remained within the range of 217 and

292 cases per year. Since 2011, approximately 54% of the appeals against an examiner's decision of refusal have been accepted. In 2015, the processing period during such a trial is approximately 10.5 months.

The number of requests for a trial for invalidation of a utility model has been ten or fewer per year since 2008. The number of requests for a trial for invalidation of a design registration has been no more than 22 since 2008, and only 11 such requests were made in 2015.

Lastly, the number of requests for a trial for invalidation of a trademark registration has remained within a range of 98 to 140 per year since 2008.

Oppositions have gradually fallen from a high of 795 in 2004 to 461 in 2015. In 2015, a decision of revocation was issued in 58 cases and a decision of maintenance was issued in 295 cases.

| | Ex-parte appeals | | Inter-partes trials | |
|------------------------|------------------|---------------|---------------------|---------------|
| | Appeal accepted | Appeal denied | Appeal accepted | Appeal denied |
| Patent & Utility Model | 18 | 49 | 27 | 46 |
| Design | 0 | 4 | 0 | 1 |
| Trademark | 1 | 17 | 14 | 17 |

Table 3. Trial and Appeal results at the JPO in 2015.

Ex-parte appeals include appeals against an examiner's decision of refusal, appeals against an examiner's rulings to dismiss amendments, and trials for correction. The number of ex-parte lawsuits increased from 14 (in 2014) to 26 for trademarks, decreased from 11 (in 2014) to 2 for designs, and decreased from 108 (in 2014) to 73 for patents and utility models.

Inter-partes trials include trials for invalidation and trials for rescission. The number of inter-partes trials increased from 109 in 2014 to 118 in 2015 for patent and utility models, from 0 in 2014 to 2 in 2015 for designs, and from 35 in 2014 to 41 in 2015 for trademarks.

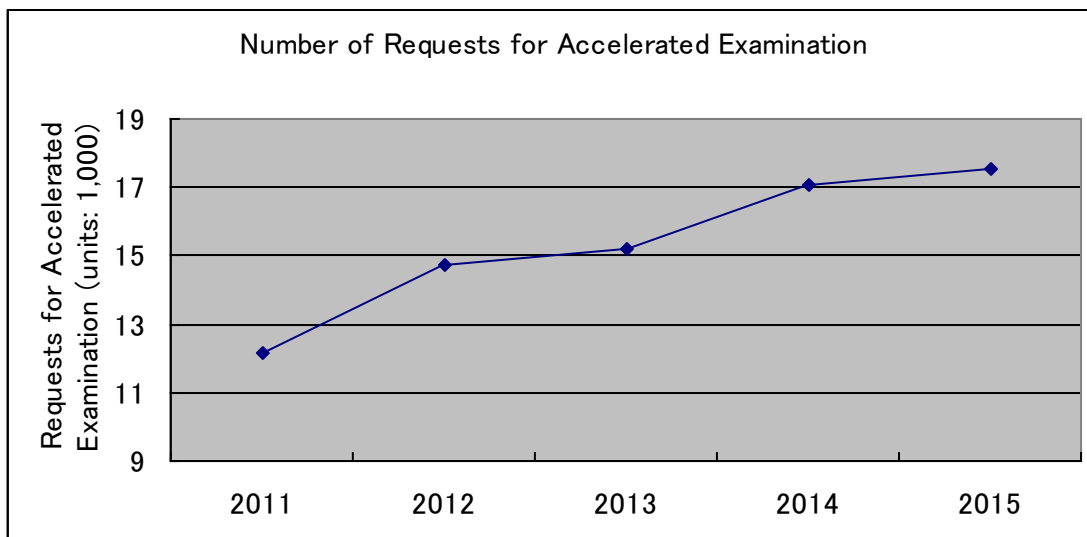


Fig. 7. Change in the number of requests for accelerated examination. There has been a continuous upward trend in the number of accelerated examinations requested since 2011. Patent applications for which accelerated examination was requested have an average first action pendency of 2.3 months in 2015. Accelerated examination is available for applications which meet certain criteria summarized [here](#).

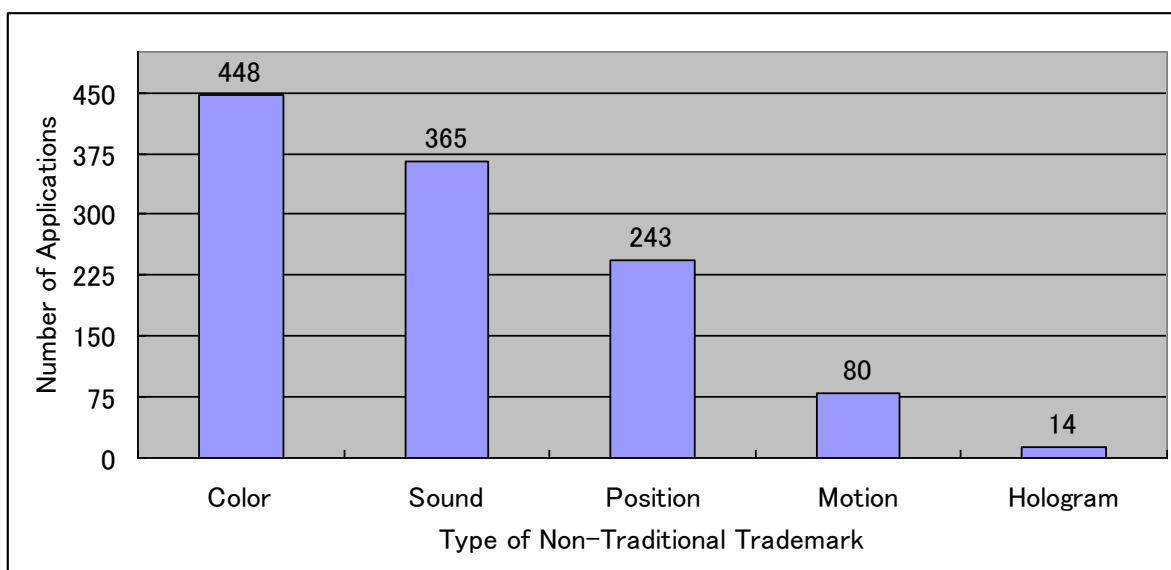


Fig. 8. In April 2015, the Japan Patent Office began to accept non-traditional trademark applications. These applications include color, sound, position, motion, and holograms. The number of respective non-traditional trademark applications submitted at the JPO in 2015 is summarized above. More information regarding

each type of non-traditional trademark and for regional collective trademarks can be found [here](#).

All of the above statistical information was obtained from the JPO and WIPO and was culled from numerous reports on the state of Intellectual Property at various patent offices throughout the world.